



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant(s): Wisniewski et al.
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Examiner: Walsh, John B.
Title: Communication Tagging

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Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Appeal Brief

Sir:

This is an appeal brief in regard to the rejection of claims in the above-identified patent application. A Notice of Appeal is being filed concurrently herewith. Please charge deposit account 50-0510 the fee under 37 C.F.R. §41.20(b)(2) and for any additional fee for proceeding with this appeal. Please note that an appeal brief fee of \$510.00 was paid on 7/21/2008. Thus, the additional fee should only be \$30.00.

12/08/2008 RMEBRAHT 00000012 500510 10724845

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I. Real Party In Interest

The real party in interest is International Business Machines Corporation.

Adjustment date: 12/08/2008 RMEBRAHT
07/21/2008 INTEFSW 00008328 500510 10724845
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II. Related Appeals and Interferences

There are no directly related appeals or interferences regarding this application.

III. Status Of Claims

Claims 1-36 are pending in this application. Claims 1-36 have been rejected by the Examiner. The rejection of Claims 1-36 is appealed.

IV. Status Of Amendments

Since the final rejection of 04/04/2008 no amendments have been filed.

V. Summary of Claimed Subject Matter

This invention allows for the addition of an optional tag to electronic communications that facilitates collaboration among individuals, teams, managers, and computer systems. For example, in electronic mail (email) communications, Lotus Notes currently allows one to tag electronic mail as a calendar invitation. With applicants' invention, an additional automatic database agent is also described to process the tagged email. The agent, via the aforementioned tags, creates entries in the database and takes actions as required by the entries. These actions can include sending an evaluation email to an individual or collaborator upon expected completion of a task and then incorporating that

evaluation back into the database. Other actions can include collating completed tasks, initiating an evaluation email, generating reports, allowing negotiating among the collaborators of the task deliverables such as time to task completion, allowing merging of project data if one or more tasks are merged into a single task, allowing division of project data if a task is split into one or more tasks, and the ability to monitor the interactions of the collaborators and proactively request task status. In addition to communications among humans, this invention can allow tagged communications to be sent to computer systems to obtain information such as computer usage at a remote site, manufacturing yield, customer purchasing patterns, and any data pertinent to a given project stored remotely on a computer system.

Independent claim 1 claims a communication system comprising a database (82) adapted to store communication tag information of a task tag (52, Fig. 4 and paragraphs 0027-0028); and a database agent (80) adapted to determine if a communication has the task tag (see Fig. 6 and paragraph 0032). The database agent is adapted to transfer predetermined communication tag information of the task tag of the communication to the database (see paragraphs 0007, 0032, 0033). The database agent is adapted to automatically send a communication (92) based upon information stored in the predetermined communication tag information (see paragraph 0033).

Independent claim 13 claims a method for automatically tracking progress of a task on a computer network consisting

of one or more users on a plurality of computer systems (see Fig. 5), the method comprising tagging (20, see paragraph 0030) a communication to be delivered between the computer systems over the network to form a tagged communication; and acting on the tagged communication automatically by a database agent (see Figs. 2 and 7-9, and paragraph 0058).

Independent claim 33 claims a system (see Fig. 5) for tracking tasks comprising a communication system adapted to attach a task tag (see Fig. 3, number 52, and Fig. 4) to a communication; and a tracking system separate from a communication sending computer (19) and a communication receiving computer (16, 17) which is adapted to automatically enter predetermined information of the task tag of the communication into a database (see Fig. 7 and paragraphs 0034-0035).

Independent claim 34 claims a method of tracking tasks comprising sending (22) a communication; attaching (20) a task tag to the communication; recording (24), by an automatic database agent, at least a portion of data in the task tag into a database; and automatically sending (26) a communication by the automatic database agent (80) based, at least partially, on the data in the task tag. (See Figs. 2 and 7-9 and paragraphs 0033, 0034, 0044-0045)

Independent claim 35 claims a program storage device readable by a machine, tangibly embodied in a program of instructions executable by the machine to perform method steps for tracking tasks, the method comprising steps of searching (90) a first communication to determine if the first communication has a task tag, the task tag comprising a task topic and a task

progress (see Fig. 4, items 56, 60); and automatically sending a second communication by an automated database agent (see Fig. 6, block 80) based upon data in the task tag (see Fig. 5 and paragraphs 0011, 0034, 0045; See Fig. 7, block 92 and Fig. 8, block 100).

Independent claim 36 claims a program storage device readable by a machine, tangibly embodied in a program of instructions executable by the machine to perform method steps for tracking tasks, the method comprising steps of creating a communication (see Fig. 2; blocks 18, 20); and attaching a task tag (see Fig. 3, item 52, and see Fig. 4) to the communication comprising a task topic (56) and a task progress (60) (see paragraphs 0012, 0027-0028).

It is an aspect of this invention to establish a method for tagging communications. It is another aspect of this invention to track task progress at the individual, team, and project level. It is another aspect of this invention to report on task progress at the individual, team, and project level. It is another aspect of this invention to allow automatic database agents to activate task communication at the individual, team, and project level. It is another aspect of this invention to allow and track the negotiation of task properties, such as time to task completion and task name, among the participants in the task and the interaction of these tasks with other related tasks. It is another aspect of this invention to allow and track the merging of tasks as decided by participants in the task. It is another aspect of this invention to allow and track the division of tasks into multiple tasks as decided by participants in the task. It is

another aspect of this invention to allow the ability to monitor task deadline and proactively send communication to participants in the task.

VI. Grounds of Rejection to be Reviewed on Appeal

- A. Are Claims 1-12 and 33 properly rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter?
- B. Are Claims 1-14 and 16-36 anticipated under 35 U.S.C. §102(e) by Reed et al. (US 2002/0095454)?
- C. Is Claim 15 unpatentable under 35 U.S.C. §103(a) over Reed et al. (US 2002/0095454) in view of Wolton et al. (US 2004/0030741)?

VII. Argument

A. 35 U.S.C. §101 (Claims 1-12 and 33)

The examiner has stated that:

The claims recite a 'system'. The use of the word "system" does not inherently mean that the claim is directed to a machine. Only if at least one of the claimed elements of the system is a physical part of a device can the system claimed constitute part of a device or a combination of devices to be a machine within the meaning of 101. All may be reasonably implemented as software routines and thus drawn to a system of software.

Software does not fall into one of the statutory categories of invention."

Applicants' attorney admits that software not claimed as being on a medium or memory or other device is not patentable subject matter, claims 1-12 and 33 are not merely claiming software.

Claim 1 claims "A communication system comprising: a database...". Because claim 1 is claiming a **database** it fulfills the requirement of 35 U.S.C. 101 because the claimed invention is clearly a machine. A database is a physical device. Claim 1 also claims a **database agent**. The database agent is adapted to transfer predetermined communication tag information of the task tag of the communication to the database. Software, in and of itself, is **incapable** of transfer predetermined communication tag information of the task tag of the communication to the database unless that software is being operated by some type of machine. Thus, applicants' claimed database agent must be considered a machine; not merely software. The database agent is also adapted to automatically send a communication based upon information stored in the predetermined communication tag information. Software, in and of itself, is **incapable** of automatically sending a communication based upon information stored in the predetermined communication tag information.

Thus, the invention claimed in claim 1 cannot be considered merely software. Applicants are claiming a machine within the meaning of 35 U.S.C. 101. Thus, the Board is requested to reverse the examiner's rejection under 35 U.S.C. 101.

Independent claim 1 and dependent claims 2-12 are patentable subject matter.

Independent claim 33 claims "A system for tracking tasks comprising a communication system adapted to attach a task tag to a communication". Software, in and of itself, is **incapable** of attaching a task tag to a communication. The software must be operated on some type of device to function this way. Thus, the invention claimed in claim 33 cannot be considered merely software. Claim 33 also claims "a tracking system separate from a communication sending computer and a communication receiving computer which is adapted to automatically enter predetermined information of the task tag of the communication into a database." Software, in and of itself, is **incapable** of automatically entering predetermined information of the task tag of the communication into a database. The software must be operated on some type of device to function this way. Thus, the invention claimed in claim 33 cannot be considered merely software.

The invention claimed in claim 33 cannot be considered merely software. Applicants are claiming a machine within the meaning of 35 U.S.C. 101. Thus, the Board is requested to reverse the examiner's rejection under 35 U.S.C. 101. Independent claim 33 is patentable subject matter.

B. 35 U.S.C. §102(e) (Claims 1-14 and 16-36) (Reed et al. (US 2002/0095454))

Claim 1

Independent claim 1 claims a communication system comprising a database and a database agent. The database agent is **adapted**

to determine if a communication has a task tag. The database agent is **adapted to** transfer predetermined communication tag information of the task tag of the communication to the database. The database agent is **adapted to** automatically send a communication based upon information stored in the predetermined communication tag information.

The examiner has stated that the recitation that an element is "adapted to" perform a function is not a positive limitation but only requires the ability to so perform; that it does not constitute a limitation in any patentable sense (citing In re Hutchison).

As pointed out to the examiner in the Amendment filed 1/4/2008, In re Hutchison holds that the term "adapted to" used in the **preamble** is not given patentable weight. However, In re Venezia 189 USPQ 149 (CCPA 1976) explicitly held that the phrase "a pair of sleeves *** each sleeve of said pair adapted to be fitted over the insulating jacket of one of said cables" **imparts a structural limitation** to the sleeve. The court went on to hold that the language "adapted to be affixed" and "adapted to be positioned" also defines present structures or attributes of the part which limits the structure of the housing. Thus, it appears that In re Hutchison only applies to the **preamble** of a claim, not the **body** of a claim.

The Board is directed to MPEP 2111.04 which specifically addresses "adapted to" language. The determination of whether an "adapted to" clause is a limitation in a claim depends on the specific facts of the case. In this case, reading the

language of claim 1, the "adapted to" clauses are clearly limitations in the claim and should not be ignored.

In regard to the examiner's belief that Reed et al. "anticipates" claim 1, the Board is directed to MPEP 2131. Anticipation requires that **each and every element** of the claimed invention be disclosed in a single prior art reference (emphasis added). In re Paulsen, 30 F.3d 1475, 31 USPQ2d 1671, 1673 (Fed. Cir. 1994). Anticipation requires **identity** of the claimed invention (emphasis added). Tyler Refrigeration v. Kysor Indus. Corp., 777 F.2d 687, 227 USPQ 845 (Fed. Cir. 1985). For anticipation, there must be **no difference** between the claimed invention and the reference disclosure (emphasis added). Scripps Clinic & Res. Found. V. Genentech, Inc., 927 F.2d 1565, 18 USPQ2d 1001 (Fed. Cir. 1991). The corollary of the rule is that absence from the reference of any claimed element negates anticipation. Kloster Speedsteel AB v. Crucible, Inc., 793 F.2d 1565, 230 USPQ 81 (Fed. Cir. 1986).

The examiner has stated that "11" in Reed et al. is equivalent to applicants' claimed database and that somehow paragraphs 0031 and 0090 disclose applicants' claimed database agent. This appears to be in error. Although "11" is a database, there is no disclosure or suggestion in paragraphs 0031 and 0090 of Reed et al. of a database agent adapted to determine if a communication has a task tag. There is no disclosure or suggestion in paragraphs 0031 and 0090 of Reed et al. of a database agent adapted to transfer predetermined communication tag information of the task tag of the communication to the database 11. There is no disclosure or suggestion in

paragraphs 0031 and 0090 of Reed et al. of a database agent adapted to automatically send a communication based upon information stored in the predetermined communication tag information. Reed et al. simply does not "anticipate" the features recited in claim 1.

In the office action mailed 04/04/2008, the examiner stated that he is not ignoring the "adapted to" clauses, but is giving the claims the "broadest reasonable interpretation" meaning that the "adapted to" clauses only require the ability to perform a function and, thus, Reed et al. anticipates the claims since it discloses equivalent structure that is "adapted to" perform the function. However, "broadest reasonable interpretation" does not include reading features into a reference which are not disclosed, suggested or inherent in the reference. From the examiner's comments regarding "broadest reasonable interpretation" of the "adapted to" clauses, it appears that the examiner is using "broadest reasonable interpretation" as a guise to reduce the patentable weight of the "adapted to" clauses to nothing. This is inappropriate. Nowhere in Reed et al. is there a disclosure of:

- A database agent **adapted** to determine if a communication has a task tag;
- A database agent **adapted** to transfer predetermined communication tag information of the task tag of the communication to the database; or

- A database agent is **adapted** to automatically send a communication based upon information stored in the predetermined communication tag information.

The examiner's statement that these features are disclosed in Reed et al. is pure fiction and totally unsupported by the disclosure in Reed et al.

In the present case, the examiner has not proven that there is **identity** between the cited reference and the features of claim 1. In the present case, the examiner has not proven that **each and every element** of the claimed invention is disclosed in the cited reference. In the present case, the examiner has not proven that there are **no differences** between the claimed invention and the reference disclosure.

The examiner has not established a prima facie case of anticipation. The examiner has not produced sufficient proof that Reed et al. "anticipates" the features recited in claim 1. Nor are the features suggested in Reed et al. Therefore, claim 1 is patentable and should be allowed.

Claim 2

Claim 2 claims that the communication comprises an email and that the database agent adapted to determine if the email has a task tag. The examiner points to paragraph 0090 in Reed et al. as anticipating the features of claim 2. However, although paragraph 0090 in Reed et al. mentions email, there is no disclosure of a database agent adapted to determine if the email has a task tag. The examiner has not established that Reed et al. discloses a database agent adapted to determine if the email has a task tag. The examiner has not

presented a prima facie case of anticipation. Nowhere in paragraph 0090 of Reed et al. is there a disclosure or suggestion of a database agent adapted to determine if the email has a task tag. Therefore, claim 2 is patentable and should be allowed.

Claim 3

Claim 3 claims that the task tag comprises a task topic and a task reminder, wherein the database agent is adapted to transfer the task reminder to the database. The examiner points to paragraph 0180 of Reed et al. as disclosing these features. Although paragraph 0180 mentions a header portion (of an object markup file) with a header tag, there is no disclosure of a task tag comprises a task topic and a task reminder, wherein the database agent is adapted to transfer the task reminder to the database. The examiner has not presented a prima facie case of anticipation. Nowhere in paragraph 0180 of Reed et al. is there a disclosure or suggestion of the features recited in claim 3. A header portion (of an object markup file) with a header tag is not a disclosure of a task tag comprising a task topic and a task reminder, wherein the database agent is adapted to transfer the task reminder to the database. The features of claim 3 are not disclosed or suggested in Reed et al. Therefore, claim 3 is patentable and should be allowed.

Claim 4

Claim 4 claims that the database agent is adapted to transfer the task topic to the database with the task reminder. The examiner points to paragraphs 0031 and 0090 of Reed et al. as

disclosing these features. Paragraph 0031 of Reed et al. merely discloses:

“According to another aspect of the invention, a provider program is used to create, edit, and maintain data, metadata and instructions in a provider database. The provider program also controls distribution of the information to various consumers. Different information contained in the provider database can be transferred and used in communications relationships with different consumers. The provider database includes information associating the information with each potential recipient. The association information is used to selectively distribute information and information updates. The provider program also receives and uses information from the consumer computer to control encoding and transfer of information to the consumer computer. According to another aspect, the provider program uses a markup language to format the information for transfer.”

Paragraph 0090 of Reed et al. merely discloses:

“Appropriate programs executing on the provider computer 1 and the consumer computer 2 perform the functions necessary to transfer, maintain, and update the information at both locations. A program represents a set of stored instructions which are executed in a processor of the computer to process data, transmit and receive data, and produce displays. The provider program 12 operates to transmit changes in information stored in the provider database 11 at the provider computer 1. When changes are made to the information and the database, the provider program 12 operates to disseminate the changed information through the communications network 3. In the pushing method, the provider program 12 transmits the changed information, for example through e-mail, to the consumer computers 2 of all intended recipients. In the pulling method, the changed information is stored on a distribution server 32, such as a web server, which then can be accessed by the consumer computer 2. Any type of distribution server may be used, including network file servers, FTP servers, gopher servers, and so on. The type of distribution server used is

not a limiting feature of the invention. The consumer program 22 will typically poll the distribution server 32 to determine whether the information has changed. This polling operation can be as simple as issuing a Web server HTTP file date request and comparing this with the file date of the last update. Polling is controlled by the information transferred from the provider program to the consumer program as further described below. Upon receipt of changed information, the consumer program 22 operates to perform certain functions with regard to that changed information. Principally, the information is stored in consumer database 21 on the consumer computer 2 for future reference and usage in controlling and automating communications between the consumer and provider. Furthermore, the information may be presented to a user at the consumer location, so that the user will be notified of the changed information. The information can be presented in a number of manners, including display or printing by the consumer program, sending an e-mail or voice-mail message to the user, paging the user, and other notification methods.”

There is absolutely no disclosure in these paragraphs of a database agent adapted to transfer a task topic to a database with a task reminder as recited in claim 4. The examiner has not established a prima facie case of anticipation. Reed et al. simply does not disclose or suggest the features recited in claim 4. Therefore, claim 4 is patentable and should be allowed.

Claim 5

Claim 5 claims that the database agent is adapted to store the task reminder in the database corresponding to a task topic already stored in the database. The examiner points to paragraphs 0031 and 0090 of Reed et al. as disclosing these features. See paragraphs 0031 and 0090 of Reed et al. repeated above with respect to claim 4. There is absolutely no disclosure in these paragraphs of a database agent adapted

to store a task reminder in a database corresponding to a task topic already stored in the database as recited in claim 5. The examiner has not established a prima facie case of anticipation. Reed et al. simply does not disclose or suggest the features recited in claim 5. Therefore, claim 5 is patentable and should be allowed.

Claim 6

Claim 6 claims that the database agent is adapted to generate a report based upon communication tag information stored in the database. The examiner points to paragraphs 0031 and 0090 of Reed et al. as disclosing these features. See paragraphs 0031 and 0090 of Reed et al. repeated above with respect to claim 4. There is absolutely no disclosure in these paragraphs of a database agent adapted to generate a report based upon communication tag information stored in the database as recited in claim 6. The examiner has not established a prima facie case of anticipation. Reed et al. simply does not disclose or suggest the features recited in claim 6. Therefore, claim 6 is patentable and should be allowed.

Claim 7

Claim 7 claims that the database agent is adapted to automatically generate the report based upon a predetermined event. The examiner points to paragraphs 0031 and 0090 of Reed et al. as disclosing these features. See paragraphs 0031 and 0090 of Reed et al. repeated above with respect to claim 4. There is absolutely no disclosure in these paragraphs of a database agent adapted to automatically generate the report

based upon a predetermined event as recited in claim 7. A simple reading of paragraphs 0031 and 0090 of Reed et al. proves applicants' point. The examiner has not established a prima facie case of anticipation. Reed et al. simply does not disclose or suggest the features recited in claim 7. Therefore, claim 7 is patentable and should be allowed.

Claim 8

Claim 8 claims that the database agent is adapted to generate the report based upon a request submitted by a user. The examiner points to paragraphs 0031 and 0090 of Reed et al. as disclosing these features. See paragraphs 0031 and 0090 of Reed et al. repeated above with respect to claim 4. There is absolutely no disclosure in these paragraphs of a database agent adapted to generate the report based upon a request submitted by a user as recited in claim 8. A simple reading of paragraphs 0031 and 0090 of Reed et al. proves applicants' point. The examiner has not established a prima facie case of anticipation. Reed et al. simply does not disclose or suggest the features recited in claim 8. Therefore, claim 8 is patentable and should be allowed.

Claim 9

Claim 9 claims that the communication tag information comprises an importance factor, wherein the database agent is adapted to prioritize at least a portion of the communication tag information based upon the importance of factors of the communication tag information stored in the database. The examiner points to paragraphs 0294, 0318-preference and 0322 of Reed et al. as disclosing these features. Paragraph 0318

certainly mentions "preference values", however these three paragraphs do not disclose or suggest communication tag information comprising an importance factor, wherein the database agent is adapted to prioritize at least a portion of the communication tag information based upon the importance of factors of the communication tag information stored in the database. Where in Reed et al. is there disclosed a database agent adapted to prioritize at least a portion of communication tag information based upon the importance of factors of the communication tag information stored in the database? There is no such disclosure. The examiner has been clearly subject to hindsight reasoning. The features of claim 9 are not disclosed or suggested in Reed et al. Therefore, claim 9 is patentable and should be allowed.

Claim 10

Claim 10 claims that the database agent is adapted to automatically obtain information relating to the communication tag information from a remote computer. The examiner points to paragraphs 0031 and 0090 of Reed et al. as disclosing these features. See paragraphs 0031 and 0090 of Reed et al. repeated above with respect to claim 4. There is absolutely no disclosure in these paragraphs of a database agent adapted to automatically obtain information relating to a communication tag information from a remote computer as recited in claim 10. A simple reading of paragraphs 0031 and 0090 of Reed et al. proves applicants' point. The examiner has not established a prima facie case of anticipation. Reed simply does not disclose or suggest the features recited in

claim 10. Therefore, claim 10 is patentable and should be allowed.

Claim 11

Claim 11 claims that the database agent is adapted to collate at least a portion of the communication tag information stored in the database. The examiner points to paragraphs 0031 and 0090 of Reed et al. as disclosing these features. See paragraphs 0031 and 0090 of Reed et al. repeated above with respect to claim 4. There is absolutely no disclosure in these paragraphs of a database agent adapted to collate at least a portion of a communication tag information stored in a database as recited in claim 11. A simple reading of paragraphs 0031 and 0090 of Reed et al. proves applicants' point. The examiner has not established a prima facie case of anticipation. Reed et al. simply does not disclose or suggest the features recited in claim 11. Therefore, claim 11 is patentable and should be allowed.

Claim 12

Claim 12 claims that the communication tag information comprises a deliverable/project tag information, and wherein the database agent is adapted to transfer deliverable/project tag information of the task tag of the communication to the database. The examiner points to paragraph 0439 of Reed et al. as disclosing these features. Paragraph 0439 merely discloses:

“Other advantages of communications object system naming services are enumerated in the communications object exchange control section above. Besides individual names and commercial trademark names, communications object system naming

services can be applied to many specialized or vertical market naming needs such as industrial part names; research topic names; corporate department, group, or project names; software programming object names; and so on. The specific naming service used is not a limiting feature of the invention.”

There is no disclosure or suggestion in Reed et al. of communication tag information comprising a deliverable/project tag information, wherein the database agent is adapted to transfer deliverable/project tag information of the task tag of the communication to the database. The features of claim 12 are simply not disclosed or suggested in Reed et al. Therefore, claim 12 is patentable and should be allowed.

Claim 13

Independent claim 13 claims a method for automatically tracking progress of a task on a computer network consisting of one or more users on a plurality of computer systems, the method comprising:

tagging a communication to be delivered between the computer systems over the network to form a tagged communication; and

acting on the tagged communication automatically by a database agent.

The examiner indicated that paragraphs 0031 and 0090 of Reed et al. anticipated this claimed method. This is incorrect. Paragraph 0031 of Reed et al. merely describes that a provider program (12) is used to create, edit, and maintain data, metadata and instructions in a provider database (11). The provider program (12) controls distribution of the information

to various consumers. Different information contained in the provider database (11) can be transferred and used in communications relationships with different consumers. The provider program (12) also receives and uses information from the consumer computer (2) to control encoding and transfer of information to the consumer computer (2). Paragraph 0090 of Reed et al. merely describes that appropriate programs executing on the provider computer 1 and the consumer computer 2 perform the functions necessary to transfer, maintain, and update the information at both locations. The provider program 12 operates to transmit changes in information stored in the provider database 11 at the provider computer 1. When changes are made to the information and the database, the provider program 12 operates to disseminate the changed information through the communications network 3. Upon receipt of changed information, the consumer program 22 operates to perform certain functions with regard to that changed information. Principally, the information is stored in consumer database 21 on the consumer computer 2 for future reference and usage in controlling and automating communications between the consumer and provider.

Neither paragraph 0031 nor paragraph 0090 of Reed et al. disclose or suggest a method for automatically tracking progress of a task on a computer network consisting of one or more users on a plurality of computer systems, the method comprising:

tagging a communication to be delivered between the computer systems over the network to form a tagged communication; and

acting on the tagged communication automatically by a database agent.

The features of claim 13 are certainly not "anticipated" by the disclosure in paragraphs 0031 and 0090 of Reed et al. Therefore, claim 13 is patentable and should be allowed.

Claim 14

Claim 14 claims that the tagged communication includes an electronic mail communication. Although paragraph 0090 of Reed et al. discloses email. There is no disclosure or suggestion of that email being part of a tagged communication wherein the method (as recited in claims 13 and 14) tags email to be delivered between the computer systems over the network to form a "tagged communication". There is no disclosure or suggestion in Reed et al. of the email mentioned in paragraph 0090 being tagged. Thus, Reed et al. does not "anticipate" the features recited in claim 14. Claim 14 is patentable and should be allowed.

Claim 16

Claim 16 claims that the tagged communication includes a telephone message converted to electronic communication with the use of voice-recognition software. The examiner points to paragraph 0536 of Reed et al. as disclosing these features. However, paragraph 0536 merely discloses:

"Schedule objects 110 can be employed to solve a wide variety of common scheduling problems. One example is the universal problem of "telephone tag". In this example, schedule objects 110 are employed at a distribution server 32. Any type of distribution server 32 can be used, but in a preferred embodiment, a combination of

the programs 12, 22 and a distribution partner server 1302 is used. This allows message objects 110 to be transmitted and received directly from the distribution partner server 1302 using a direct transmission protocol such as HTTP. This is faster than a store-and-forward protocol like Internet SMTP e-mail, however the latter can also be used if the scheduling process is not time-sensitive. To enable telephone call coordination, the provider first adds one or more scheduling elements 143, methods 141, and rules 140 to any communications object 110 in which the provider wishes to offer scheduling control. The provider can also add schedule control using a scheduling component object 110. The provider also maintains his/her current schedule by adding and maintaining schedule objects 110 to the provider database 11. Thus the provider's current set of schedule objects 110 will indicate the present readiness of the provider to receive a phone call; the current phone number at which the provider should be reached; the options for notifying the provider about the call request; and the options for scheduling a phone call with the provider at some future time if the provider is not available immediately."

A scheduler object and "telephone-tag" problems between telephone users as described in paragraph 0536 is not a disclosure or suggestion of a tagged communication including a telephone message converted to electronic communication with the use of voice-recognition software. The features of claim 16 are not disclosed or suggested in Reed et al. Therefore, claim 16 is patentable and should be allowed.

Claim 17

Claim 17 claims that the step of acting involves storing the task in the database. The examiner points to paragraph 0090 of Reed et al. as disclosing these features. See paragraph 0090 of Reed et al. repeated above with respect to claim 4. Paragraph 0090 of Reed et al. mentions storing information in a database. However, there is no disclosure or suggestion of

the features of claim 17 in combination with the features of claim 13 in Reed et al. Therefore, claim 17 is patentable and should be allowed.

Claim 18

Claim 18 claims that the step of acting involves updating information about the task in the database. The examiner points to paragraph 0090 of Reed et al. as disclosing these features. See paragraph 0090 of Reed et al. repeated above with respect to claim 4. Paragraph 0090 of Reed et al. mentions changed information and storing information in a database. However, there is no disclosure or suggestion of the features of claim 18 in combination with the features of claim 13 in Reed et al. Therefore, claim 18 is patentable and should be allowed.

Claim 19

Claim 19 claims that the step of acting involves generating a report. The examiner points to paragraph 0408-0409 of Reed et al. as disclosing these features. Certainly, these paragraphs mention reports and automatic reporting. However, there is no disclosure or suggestion in Reed et al. of the features of claim 19 in combination with the features of claim 13. More specifically, there is no disclosure of a method for automatically tracking progress of a task on a computer network consisting of one or more users on a plurality of computer systems, the method comprising tagging a communication to be delivered between the computer systems over the network to form a tagged communication; and acting on the tagged communication automatically by a database agent

comprising generating a report. Therefore, claim 19 is patentable and should be allowed.

Claim 20

Claim 20 claims that the users are selected from a group consisting of individuals, collaborators, team leaders and managers. The examiner has stated that users are inherently individuals. However, Reed et al. does not disclose or suggest a group **consisting of** individuals, collaborators, team leaders and managers as recited in claim 20.

Claim 21

Claim 21 claims that the users include other computer programs, wherein the other computer programs produce data including computer usage at a present or remote site, manufacturing yield, or customer purchasing patterns. The examiner has stated that it is inherent for computer programs to produce data in view of computer usage. This may be true. However, this does not mean that the features of claim 21 are anticipated by Reed et al. There is not disclosure or inherency of a method as recited in claim 21 for automatically tracking progress of a task on a computer network consisting of one or more users on a plurality of computer systems, the method comprising tagging a communication to be delivered between the computer systems over the network to form a tagged communication; and acting on the tagged communication automatically by a database agent, wherein the users include other computer programs, and the other computer programs produce data including computer usage at a present or remote site, manufacturing yield, or customer purchasing patterns.

The features of claim 21 are not disclosed or suggested in the cited art.

Claim 22

Claim 22 claims that the users are selected from a group **consisting of a combination** of individuals, collaborators, team leaders, managers, and other computer programs. The examiner has stated that users are inherently individuals. However, Reed et al. does not disclose or suggest users being selected from a group **consisting of a combination** of individuals, collaborators, team leaders, managers, and other computer programs. The features of claim 22 are not disclosed or inherent in Reed et al. Therefore, claim 22 is patentable and should be allowed.

Claim 23

Claim 23 claims that an importance of the task on the tag is set and negotiated by the users. The examiner points to paragraphs 0294, 0318 and 0322 of Reed et al. as disclosing these features. However, these three paragraphs merely disclose:

“Acknowledgment messages can still be used even when the distribution method uses the pull technique. This is accomplished identically to the above except for the following. First, the acknowledgment message object instance (810, FIG. 17) returned to the provider program 12 includes such additional data about the consumer as is necessary to create a recipient record 120. Second, if the recipient record 120 instance does not exist in the provider database 11, the SendAck method needs to create it, and also create the association 121 between the recipient 120, the communications object 110, and one or more methods 141, including an update method. This specialized use

of an acknowledgment message object 110 is referred to as a registration message. Registration messages are important for three reasons. First, registration messages can be used to track communications object distribution and usage even when the provider does not have the capability to distribute updates using the push technique. An example is when an expensive, high-powered web server is used for high-volume distribution of a communications object, but an inexpensive personal computer and e-mail account is used for tracking communications object acknowledgment messages. Second, registration messages can be used on an intermittent basis by only including the SendAck receipt method in selected communications object updates. This allows distribution statistics and other data to be gathered periodically rather than with every update. Third, if the acknowledgment message object 110 includes the e-mail address of the consumer, the resulting list of recipients 120 created by registration messages can allow the provider to convert the communications object update method from pull to push. Conversion between update methods is discussed further below.”

“When the communications object containing the notification elements is transferred to the consumer program 22, the preference values for each notification element are editable by the consumer. As shown in FIG. 4, these preference values are stored in an instance 221 of the element preferences class 147. This instance inherits the logical attribute NotifyFlag from the notification element instance 201. The value for this field is represented by a checkbox next to the name and description of the notification element 202 when the consumer is editing any form containing the notification element. This could be the selected page form (612, FIG. 14) or the edit object form (612, FIG. 14). The selected page form would present the notification element in the context of the other elements on the page. The edit object form allows all preference elements for the object, including all notification elements, to be edited at once. FIG. 23 illustrates how notification elements on a typical edit object form might appear.”

“FIG. 4 illustrates two typical notification methods assigned to an element preference instance 221. A SendEMail method 224 causes each message element 211 associated with the notification element 202 to be sent as an e-mail message to an address or

addresses specified by the consumer. Preferably, such an e-mail message would use as the start of its header a signifying string such as "Special Alert:", followed by the headline text value from the associated message element 211. The body of the message would then contain the body value from the associated message element 211. It could also contain the headline link value, body link value, and other status or navigational information, such as the name of the originating communications object, the name of the provider, or other actions taken. An AddToNotifyReport method 225 causes the headline of each associated message element 211 to appear in the consumer's notification report (630, FIG. 14). To set this trigger, the AddtoNotifyReport method adds a logical NotifyReportFlag attribute 223 to the element preference instance 221 and sets its value to TRUE. To display the notification report (630, FIG. 14), the consumer program 22 performs a query of the consumer database 21 for all message elements 211 associated with all element preference instances 221 where the NotifyReportFlag 223 value is TRUE. The actual content displayed in the report is determined by attributes of the consumer's global preferences (103, FIG. 3). The consumer may wish to see headlines only. In this case each headline can be displayed as a hyperlink. When selected, the hyperlink will display the message body and body links as a separate page. Alternatively, the consumer may wish to see all headlines, messages, and links in the notification report. Headlines may also be linked to other elements or methods, such as those used for data exchange. Headlines may also function as a hyperlink directly to another URL anywhere on the Internet. Another option is for the consumer to see communications objects for which there are new notifications displayed differently than other communications objects for which there are no new notifications. Notification reports may also be sorted according to the settings of the sort form (634, FIG. 14), or by using various toolbar buttons for common sorting or filtering options. For example, notification data could be sorted by communications object name, communications object nickname, date, folder, or notification priority. Different standard or custom notification reports can also be stored and presented as menu options or toolbar buttons. A example of a notification report sorted by date showing headlines only for

communications objects which had new notifications is shown in FIG. 24. Each notification report entry can include a button for deleting the entry from the notification report immediately, or a checkbox for batch deletion, or both. In either case, when the notification report form is submitted, this button or checkbox causes the NotifyReportFlag attribute 223 of the corresponding preference element instance 221 to be set to FALSE. The format of a notification report is not a limiting feature of the invention.”

Certainly, there is a disclosure of preference values for each notification element being editable by the consumer. However, there is no disclosure or suggestion in Reed et al. of an importance of the **task** on the **tag** being set and negotiated by the users as claimed in claim 23. The “notification” described in Reed et al. is not the same as applicants’ claimed “task”; nor is it a “tag” on a communication. Therefore, claim 23 is patentable and should be allowed.

Claim 24

Claim 24 claims that a time duration of the task on the tag is set and negotiated by the users. The examiner points to paragraph 0398 and “time intervals” as a disclosure of these features. Paragraph 0398 merely discloses:

By functioning as active databases, the provider program 12 and consumer program 22 can control the archiving of the data they store. This is a very useful capability for many communications functions. First, many providers and consumers frequently wish to refer to past communications data. When stored in electronic format, this data is also computer searchable, which is another key advantage. Additionally, archiving data can be useful for error correction, as explained below. As shown in FIG. 3, data archive control is achieved primarily through the use of archive attributes, archive rules 140 and archive methods 141. The application of data archiving rules 140 in

both the provider program 12 and consumer program 22 is explained above and in steps 735-737 of FIG. 15. These examples show how an archiving attribute and rule are used to control the number of previous versions of a communications object that will be archived. Archiving rules also allow control of archiving using time intervals, data size parameters, by the presence or absence of element preferences 147, and other parameters.

A disclosure of archiving using time intervals is not a disclosure of a time duration of a **task on the tag** being set and negotiated by users. The features of claim 24 are not disclosed or suggested in Reed et al. Therefore, claim 24 is patentable and should be allowed.

Claim 25

Claim 25 claims that the step of acting involves merging communications from various tasks into one communication for a single task. The examiner points to paragraph 0520 as a disclosure of these features. Paragraph 0520 merely discloses:

“Finally, in a multiuser database 100, multiple user objects 110 can also have a provider relationship with a single communications object 110. This is referred to as multiuser editing. Multiuser editing of communications objects 110 is advantageous in a communications object system for the same reasons multiuser database sharing is advantageous in many business applications. Just as two or more individuals can need the ability to read or edit same data, two or more individuals can need to communicate about the same subject or topic through the same "channel". In many multiuser database environments, including network file systems, database access and editing rights are controlled using access control lists. This same principle can be applied to a communications object system through the use of access control elements 143, access control methods 141, and access control rules 143. Collectively these are

referred to as access control components. Access control elements 143 are special elements 143 included in a communications object 110 in order to define the editing rights which the original communications object provider wishes to grant to other providers. Access control methods 141 and access control rules 140 act in conjunction with access control elements 143 to enforce these rights. Access control is an extension of data exchange control, discussed in the data exchange control section above. Access control components are a unique advantage of a communications object system because they can be contained within the communications object 110 which they govern. Thus they can be distributed and enforced throughout a communications object system. Access control rights can also be governed using user group objects 110. In this capacity user group objects 110 function similarly to access control groups used in many computer network environments to govern file and resource access.”

This is merely a disclosure regarding access control by multiple users. There is no disclosure of merging communications from various tasks into one communication for a single task as recited in claim 25. The features of claim 25 are not disclosed or suggested in the cited art. Therefore, claim 25 is patentable and should be allowed.

Claim 26

Claim 26 claims that the step of acting involves separating communications from one task into several communications for separate tasks. The examiner points to paragraph 0519 and “multiuser database” of Reed et al. as disclosing these features. However, paragraph 0519 merely discloses:

“In a multiuser database 100, a user object 110 can have a consumer relationship with a communications object 110 to which another user object 110 has a provider relationship. This has several very important benefits. To begin with, no instance of

the recipient class 120 nor the acknowledgement association 121 is needed. Both can be replaced entirely by the relationship associations 111. Secondly, no communications object distribution routine is necessary. When the user object 110 representing a provider (called the "provider user object") and the user object 110 representing a consumer (called the "consumer user object") are both present in a multiuser database 100, a communications object 110 can be "pushed" to a consumer simply by the provider creating a new association between the communications object 110 and the consumer user object 110. A communications object 110 can be "pulled" by a consumer just by the consumer creating a new association between the communications object 110 and the consumer user object 110. In both of these cases, creation of the new association triggers a "new object reception rule" 140 in the database 100. This rule takes the place of the new object reception routine in a separate consumer program 22 and executes steps 703-708 of FIG. 15. Updates to a communications object 110 by the provider can also be "transmitted" to all associated consumers via the operation of the standard update association rule 140 operating throughout the database 100. This operation of this rule takes the place of the update object reception routine (FIG. 10B) by executing steps 721-731 of FIG. 15. This rule 140 only applies to consumer relationship associations, i.e. where the ProviderFlag value is FALSE."

There is no disclosure of separating communications from one task into several communications for separate tasks as claimed in claim 26. The features of claim 26 are not disclosed or suggested in the cited art. Therefore, claim 26 is patentable and should be allowed.

Claim 27

Claim 27 claims that monitoring a task deadline and being proactive in sending communication to humans and computers participating in the task. The examiner points to paragraphs

0398 and 0318 of Reed et al. as disclosing these features. However, paragraphs 0398 and 0318 merely disclose:

“By functioning as active databases, the provider program 12 and consumer program 22 can control the archiving of the data they store. This is a very useful capability for many communications functions. First, many providers and consumers frequently wish to refer to past communications data. When stored in electronic format, this data is also computer searchable, which is another key advantage. Additionally, archiving data can be useful for error correction, as explained below. As shown in FIG. 3, data archive control is achieved primarily through the use of archive attributes, archive rules 140 and archive methods 141. The application of data archiving rules 140 in both the provider program 12 and consumer program 22 is explained above and in steps 735-737 of FIG. 15. These examples show how an archiving attribute and rule are used to control the number of previous versions of a communications object that will be archived. Archiving rules also allow control of archiving using time intervals, data size parameters, by the presence or absence of element preferences 147, and other parameters.”

“When the communications object containing the notification elements is transferred to the consumer program 22, the preference values for each notification element are editable by the consumer. As shown in FIG. 4, these preference values are stored in an instance 221 of the element preferences class 147. This instance inherits the logical attribute NotifyFlag from the notification element instance 201. The value for this field is represented by a checkbox next to the name and description of the notification element 202 when the consumer is editing any form containing the notification element. This could be the selected page form (612, FIG. 14) or the edit object form (612, FIG. 14). The selected page form would present the notification element in the context of the other elements on the page. The edit object form allows all preference elements for the object, including all notification elements, to be edited at once. FIG. 23 illustrates how notification elements on a typical edit object form might appear.”

There is no disclosure or suggestion in Reed et al. of monitoring a task deadline and being proactive in sending communication to humans and computers participating in the task as claimed in claim 27. The features of claim 27 are not disclosed or suggested in Reed et al. Therefore, claim 27 is patentable and should be allowed.

Claim 28

Claim 28 claims that tag properties on the communication include time to task completion, task progress, task topic, reminder interval, and collaborator type. This feature in combination with the features of claim 13 are not disclosed or suggested in Reed et al. The examiner points to paragraph 0398 of Reed et al. (see the paragraph recited above with respect to claim 27) as disclosing these features. Archiving rules of controlling archiving are not disclosed as being tag properties on a communication. The features of claim 28 are not disclosed or suggested in the cited art. Therefore, claim 28 is patentable and should be allowed.

Claim 29

Claim 29 claims that choices for tagging the communication include a tag property of a task progress which selected from a group **consisting of** previous, new, in-progress, complete, other. The examiner points to paragraph 0090 of Reed et al. (and specifically the language "other" and the examiner states that it can which can be anything) as an anticipatory disclosure of the features of claim 29. Paragraph 0090, last four words states "and other notification methods." The methods this language is referring to is notification methods

similar to on a display, or printed, or email or voice-mail. This "other" language in Reed et al. is clearly not an anticipatory disclosure of choices for tagging the communication include a tag property of a task progress which selected from a group consisting of previous, new, in-progress, complete, other as claimed in claim 29. The features of claim 29 are not disclosed or suggested in the cited art. Therefore, claim 29 is patentable and should be allowed.

Claim 30

Claim 30 claims that choices for tagging the communication include a tag property of a collaborator type which can be selected from a group consisting of individual, collaborator, team leader, manager, senior manager, vice-president, CEO, CIO, contractor. The examiner has not identified where in Reed et al. he believes these features are disclosed.

Claim 31

Claim 31 claims that permissions may be associated with the task restricting viewing of the task only to users with appropriate access credentials. The examiner points to paragraph 0357 and the language "ID" in Reed et al. as disclosing these features. However, paragraph 0357 merely discloses:

"A second application is personalization of web or hypermedia content, i.e., presenting a customized or filtered view of a web site to reduce the need for scanning or browsing by the consumer. One existing approach is to have consumers establish an ID, choose a password, and enter personal preference data into input forms provided by the web server. This data is then stored at the web server or another

remote location and used to present customized views of the web site. An example is MyYahoo from Yahoo Inc. To see new content, the consumer must then manually visit the web site, enter the necessary ID and password, and browse their customized content, which is only available online. Whenever the consumer's preference data changes, the consumer must manually change it on all such web sites."

A disclosure of personalization of web or hypermedia content by having consumers establish an ID is not a disclosure of a method where permissions may be **associated with a task** restricting viewing of the task only to users with appropriate access credentials as claimed in claim 30. The features of claim 30 are not disclosed or suggested in the cited art. Therefore, claim 30 is patentable and should be allowed.

Claim 32

Claim 32 claims that the step of tagging a communication comprises adding deliverable/project information and task information to the communication. The examiner points to paragraphs 0090-0093 of Reed et al. as disclosing these features. However, these paragraphs of Reed et al. do not disclose tagging a communication comprises adding deliverable/project information and task information to the communication as claimed in claim 32. The features of claim 30 are not "anticipated" by Reed et al. Therefore, claim 32 is patentable and should be allowed.

Claim 33

Independent claim 33 claims a system for tracking tasks comprising:

a communication system adapted to attach a task tag to a communication; and

a tracking system separate from a communication sending computer and a communication receiving computer which is adapted to automatically enter predetermined information of the task tag of the communication into a database.

Reed et al. clearly does not disclose a communication system adapted to attach a task tag to a communication; and a tracking system separate from a communication sending computer and a communication receiving computer which is adapted to automatically enter predetermined information of the task tag of the communication into a database. Thus, Reed et al. does not "anticipate" the features of claim 33.

In the office action mailed 04/04/2008 the examiner stated that "It has been held that the recitation that an element is "adapted to" perform a function is not a positive limitation but only requires the ability to so perform. It does not constitute a limitation in any patentable sense. In re Hutchison, 69 USPQ 138".

As noted above with respect to claim 1, and as pointed out to the examiner in the Amendment filed 1/4/2008, In re Hutchison holds that the term "adapted to" used in the **preamble** is not given patentable weight. However, In re Venezia 189 USPQ 149 (CCPA 1976) explicitly held that the phrase "a pair of sleeves *** each sleeve of said pair adapted to be fitted over the insulating jacket of one of said cables" **imparts a structural limitation** to the sleeve. The court went on to hold that the language "adapted to be affixed" and "adapted to be

positioned" also defines present structures or attributes of the part which limits the structure of the housing. Thus, it appears that In re Hutchison only applies to the **preamble** of a claim, not the **body** of a claim.

The examiner was also directed to MPEP 2111.04 which specifically addresses "adapted to" language. The determination of whether an "adapted to" clause is a limitation in a claim depends on the specific facts of the case. In this case, reading the language of claim 33, the "adapted to" clauses are clearly limitations in the claim and should not be ignored. The examiner has clearly admitted that he has not considered the "adapted to" clauses as patentable limitations. Thus, it is clear that the examiner has erred.

In regard to the examiner's belief that Reed et al. "anticipates" claim 33, the Board is directed to MPEP 2131. Anticipation requires that **each and every element** of the claimed invention be disclosed in a single prior art reference (emphasis added). In re Paulsen, 30 F.3d 1475, 31 USPQ2d 1671, 1673 (Fed. Cir. 1994). Anticipation requires **identity** of the claimed invention (emphasis added). Tyler Refrigeration v. Kysor Indus. Corp., 777 F.2d 687, 227 USPQ 845 (Fed. Cir. 1985). For anticipation, there must be **no difference** between the claimed invention and the reference disclosure (emphasis added). Scripps Clinic & Res. Found. V. Genentech, Inc., 927 F.2d 1565, 18 USPQ2d 1001 (Fed. Cir. 1991). The corollary of the rule is that absence from the reference of any claimed element negates anticipation. Kloster Speedsteel AB v. Crucible, Inc., 793 F.2d 1565, 230 USPQ 81 (Fed. Cir. 1986).

Reed et al. does not disclose **each and every element** of the claimed invention. Thus, claim 33 is not "anticipated" by Reed et al. Claim 33 is patentable and should be allowed.

Claim 34

Independent claim 34 claims a method of tracking tasks comprising sending a communication; attaching a task tag to the communication; recording, by an automatic database agent, at least a portion of data in the task tag into a database; and automatically sending a communication by the automatic database agent based, at least partially, on the data in the task tag. The paragraphs of Reed et al. cited by the examiner do not disclose attaching a task tag to the communication; recording, by an automatic database agent, at least a portion of data in the task tag into a database; and automatically sending a communication by the automatic database agent based, at least partially, on the data in the task tag. Paragraph 0093 discloses that the consumer database 21 can include instruction, and that the provider can include special forms to be processed by the consumer program 22 to automatically transfer data from the consumer database 21 back to the provider, and paragraph 0180 mentions a header tag. However, there is no disclosure or suggestion attaching a **task tag** to the communication; recording, by an automatic database agent, at least a portion of data in the task tag into a database; and automatically sending a communication by the automatic database agent **based, at least partially, on the data in the task tag**. Reed et al. does not "anticipate" the features recited in claim 34. Therefore, claim 34 is patentable and should be allowed.

Claim 35

Independent claim 35 claims a program storage device with a program of instructions to perform a method comprising searching a first communication to determine if the first communication has a task tag, the task tag comprising a task topic and a task progress; and automatically sending a second communication by an automated database agent based upon data in the task tag. The paragraphs of Reed et al cited by the examiner do not disclose a communication having a task tag comprising a task topic and a task progress; much less searching a first communication to determine if the first communication has a task tag. The paragraphs of Reed et al cited by the examiner do not disclose automatically sending a second communication by an automated database agent based upon data in a task tag. The features recited in claim 35 are not disclosed or suggested in the cited reference. Therefore, claim 35 is patentable and should be allowed.

Claim 36

Independent claim 36 claims a program storage device with a program of instructions to perform a method for tracking tasks comprising creating a communication; and attaching a task tag to the communication comprising a task topic and a task progress. Reed et al. does not disclose a task tag; much less a task tag comprising a task topic and a task progress. Thus, Reed et al. clearly does not disclose attaching a task tag to a communication comprising a task topic and a task progress as recited in claim 36. Reed et al. clearly does not "anticipate" the features recited in claim 36. Therefore, claim 36 is patentable and should be allowed.

C. 35 U.S.C. §103(a) (Claim 15)(Reed et al. (US 2002/0095454) in view of Wolton et al. (US 2004/0030741))

Claim 15 claims that the tagged communication includes an instant electronic message. Even if, for the sake of argument, it was obvious to combine Wolton et al. with Reed et al., this still would not suggest a communication system comprising a database adapted to store communication tag information of a task tag; and a database agent adapted to determine if a communication has the task tag, wherein the database agent is adapted to transfer predetermined communication tag information of the task tag of the communication to the database, and wherein the database agent is adapted to automatically send a communication based upon information stored in the predetermined communication tag information, and where the tagged communication includes an instant electronic message as claimed in claim 15. Therefore, claim 15 is patentable and should be allowed.

VIII. Claims Appendix

Attached.

IX. Evidence Appendix

None.

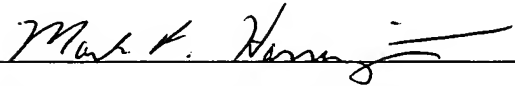
X. Related Proceedings Appendix

None.

Conclusion

In view of the arguments presented above, it is respectfully requested that the Examiner's rejections of Claims 1-36 be reversed.

Respectfully submitted,

| | |
|--|-------------------------|
|  _____ | <u>12/5/08</u> _____ |
| Mark F. Harrington (Reg. No. 31,686) | Date |

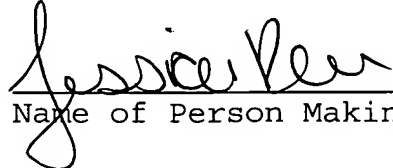
Customer No.: 29683
Harrington & Smith, PC
4 Research Drive
Shelton, CT 06484-6212
203-925-9400

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Date



Name of Person Making Deposit

VIII. CLAIMS APPENDIX

1. A communication system comprising:

a database adapted to store communication tag information of a task tag; and

a database agent adapted to determine if a communication has the task tag, wherein the database agent is adapted to transfer predetermined communication tag information of the task tag of the communication to the database, and wherein the database agent is adapted to automatically send a communication based upon information stored in the predetermined communication tag information.

2. A communication system as in claim 1 wherein the communication comprises an email and the database agent adapted to determine if the email has a task tag.

3. A communication system as in claim 1 wherein the task tag comprises a task topic and a task reminder, and wherein the database agent is adapted to transfer the task reminder to the database.

4. A communication system as in claim 3 wherein the database agent is adapted to transfer the task topic to the database with the task reminder.

5. A communication system as in claim 3 wherein the database agent is adapted to store the task reminder in the database corresponding to a task topic already stored in the database.

6. A communication system as in claim 1 wherein the database agent is adapted to generate a report based upon communication tag information stored in the database.

7. A communication system as in claim 6 wherein the database agent is adapted to automatically generate the report based upon a predetermined event.

8. A communication system as in claim 6 wherein the database agent is adapted to generate the report based upon a request submitted by a user.

9. A communication system as in claim 1 wherein the communication tag information comprises an importance factor, and wherein the database agent is adapted to prioritize at least a portion of the communication tag information based upon the importance of factors of the communication tag information stored in the database.

10. A communication system as in claim 1 wherein the database agent is adapted to automatically obtain information relating to the communication tag information from a remote computer.

11. A communication system as in claim 1 wherein the database agent is adapted to collate at least a portion of the communication tag information stored in the database.

12. A communication system as in claim 1 wherein the communication tag information comprises a deliverable/project tag information, and wherein the database agent is adapted to transfer deliverable/project tag information of the task tag of the communication to the database.

13. A method for automatically tracking progress of a task on a computer network consisting of one or more users on a plurality of computer systems, the method comprising:

tagging a communication to be delivered between the computer systems over the network to form a tagged communication; and

acting on the tagged communication automatically by a database agent.

14. A method as in claim 13 where the tagged communication includes an electronic mail communication.

15. A method as in claim 13 where the tagged communication includes an instant electronic message.

16. A method as in claim 13 where the tagged communication includes a telephone message converted to electronic communication with the use of voice-recognition software.

17. A method as in claim 13 wherein the step of acting involves storing the task in the database.

18. A method as in claim 13 where the step of acting involves updating information about the task in the database.

19. A method as in claim 13 where the step of acting involves generating a report.

20. A method as in claim 13 where the users are selected from a group consisting of individuals, collaborators, team leaders and managers.

21. A method as in claim 13 wherein the users include other computer programs, and wherein the other computer programs produce data including computer usage at a present or remote site, manufacturing yield, or customer purchasing patterns.

22. A method as in claim 13 wherein the users are selected from a group consisting of a combination of individuals, collaborators, team leaders, managers, and other computer programs.

23. A method as in claim 13 wherein an importance of the task on the tag is set and negotiated by the users.

24. A method as in claim 13 wherein a time duration of the task on the tag is set and negotiated by the users.

25. A method as in claim 13 wherein the step of acting involves merging communications from various tasks into one communication for a single task.

26. A method as in claim 13 wherein the step of acting involves separating communications from one task into several communications for separate tasks.

27. A method as in claim 13 wherein the step of acting involves monitoring a task deadline and being proactive in sending communication to humans and computers participating in the task.

28. A method as in claim 13 wherein tag properties on the communication include time to task completion, task progress, task topic, reminder interval, and collaborator type.

29. A method as in claim 13 wherein choices for tagging the communication include a tag property of a task progress which selected from a group consisting of previous, new, in-progress, complete, other.

30. A method as in claim 13 wherein choices for tagging the communication include a tag property of a collaborator type which can be selected from a group consisting of individual, collaborator, team leader, manager, senior manager, vice-president, CEO, CIO, contractor.

31. A method as in claim 13 wherein permissions may be associated with the task restricting viewing of the task only to users with appropriate access credentials.

32. A method as in claim 13 wherein the step of tagging a communication comprises adding deliverable/project information and task information to the communication.

33. A system for tracking tasks comprising:

a communication system adapted to attach a task tag to a communication; and

a tracking system separate from a communication sending computer and a communication receiving computer which is adapted to automatically enter predetermined information of the task tag of the communication into a database.

34. A method of tracking tasks comprising:

sending a communication;

attaching a task tag to the communication;

recording, by an automatic database agent, at least a portion of data in the task tag into a database; and

automatically sending a communication by the automatic database agent based, at least partially, on the data in the task tag.

35. A program storage device readable by a machine, tangibly embodied in a program of instructions executable by the machine to perform method steps for tracking tasks, the method comprising steps of:

searching a first communication to determine if the first communication has a task tag, the task tag comprising a task topic and a task progress; and

automatically sending a second communication by an automated database agent based upon data in the task tag.

36. A program storage device readable by a machine, tangibly embodied in a program of instructions executable by the machine to perform method steps for tracking tasks, the method comprising steps of:

creating a communication; and

attaching a task tag to the communication comprising a task topic and a task progress.

None

IX. EVIDENCE APPENDIX

X. RELATED PROCEEDINGS APPENDIX

None